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June 25, 2013

Robin Kelly  
Senior Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Ms. Kelly,

We are in receipt of your Request For Additional Information (RFAI), dated April 10, 2013, regarding the 2012 Year End Report of Faith & Freedom Coalition (FFC). You indicate that independent expenditure reports may have been late-filed. As detailed below, the 24 Hour Reports at issue were timely filed based on the date of public distribution/dissemination of the related advertisements. The dates you identify in your RFAI are the dates of payment, as opposed to the dates of public distribution/dissemination. The latter dates are provided below.

Independent expenditures made by persons other than political committees must be reported within 24 and 48 hours of "the date on which a communication is publicly distributed or otherwise publicly disseminated." See 11 C.F.R. § 109.10(c), (d). For purposes of broadcast communications, this is the date on which the communication is first aired. Interpretive Rule on When Certain Independent Expenditures are 'Publicly Disseminated' for Reporting Purposes, 76 Fed. Reg. 61,254 (Oct. 4, 2011) (citing 11 CFR 100.29(b)(2) and Bipartisan Campaign Reform Act of 2002 Reporting, Final Rules, 68 Fed. Reg 404, 407 (Jan. 3, 2003)). FFC filed its 24 Hour Reports accordingly.

1. The two expenditures referenced in item "1" of the RFAI were reported within the 24 hour reporting period triggered by their date of public distribution.

a. FFC made an expenditure of \$22,650 on October 18, 2012 for production of a radio advertisement titled, "Enough." This radio advertisement was publicly distributed beginning on October 22, 2012. This expenditure was timely reported within 24 hours of the date of public distribution on October 23, 2012 (FEC-823776).

b. FFC made an expenditure of \$20,000 on October 30, 2012 for additional media placement of the radio advertisement, "Enough." (The initial placement expenditure for this radio advertisement is detailed below in response to item "2.") The October 30, 2012

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expenditure was made to fund public distribution of the advertisement beginning on October 31, 2012, and was timely reported within 24 hours on November 1, 2012 (FEC-831363).

Both expenditures were properly reported on FFC's quarterly Form 5 report.

2. The expenditure referenced in item "2" of the RFAI was also reported within the 24 hour reporting period triggered by the date of public distribution. FFC made an expenditure of \$500,000 on October 15, 2012 for initial media placement of the radio advertisement referenced above ("Enough"). This advertisement was publicly distributed on October 22, 2012. This expenditure was timely reported within 24 hours of the date of public distribution on October 23, 2012 (FEC-823776).

This expenditure was properly reported on FFC's quarterly Form 5 report.

3. You paraphrase the reporting requirements of 11 C.F.R. § 109.10(e)(1)(vi), and indicate that "Each contributor who made a donation in excess of \$200 to further the independent expenditures must be itemized on Schedule 5-A, including their identification information." FFC did not receive any contributions or donations from persons whose "contribution was made for the purpose of furthering the reported independent expenditure." 11 C.F.R. § 109.10(e)(1)(vi). In addition, 11 C.F.R. § 114.10(f) applies only to "qualified nonprofit corporations." FFC is not, and has never claimed to be, a "qualified nonprofit corporation." The cited provision is, therefore, inapplicable.

Please contact me with any additional concerns.

Sincerely,



Jason Torchinsky

Chris Winkelman

Counsel to Faith & Freedom Coalition

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Federal Election Commission  
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